

OFFICES OF THOMAS M. ROTH, III
1001 South Marshall Street, Box 14, Suite L6
Winston-Salem, North Carolina 27101

Telephone: 336-777-0114
Telefax: 336-777-8499 or
336-777-3601

TELEFAX MEMORANDUM

FROM: Tam Roth

TO: Ms. Renata Hesse

DATE: _____

FIRM: U.S. Dept of Justice

RE: _____

TELEFAX NO. 202-616-9937

TIME OF SENDING: _____

NO. OF PAGES _____

ORIGINAL: _____ Will not be sent _____ Will follow by U.S. Mail _____ Will follow by overnight mail

MESSAGE:

If you have not received all of the pages of this message or there was trouble with the transmission please call us 336-777-0114.

The Information contained in this Facsimile Message is Attorney/Client Privileged or Proprietary, or Trade Secret Information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone at the above number, and return the original message to us at the above address via the U.S. Postal Service.

OFFICES OF
THOMAS M. ROTH, III
ATTORNEY AND COUNSELOR

1001 SOUTH MARSHALL STREET, BOX 14
WINSTON-SALEM, NORTH CAROLINA 27101
TELE: (336) 777-0114 FAX: (336) 777-8499
E-MAIL: TRROTH@PRODIGY.NET

January 28, 2002

Rcnata Hesse, Esq.
Trial Attorney
Antitrust Division
Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530

Dear Ms. Hesse,

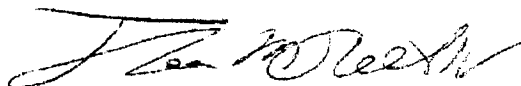
I am writing today in response to the Federal Register item concerning the Microsoft settlement with the United States and nine of our states' attorneys general. I note that North Carolina, my home state, is among the states that have signed off on the proposed settlement.

I have reviewed the proposed settlement of this long running case and endorse the proposed settlement between these parties. I would urge Judge Kollar-Kotelly to do the same. The proposed settlement has positive points for all sides; and appears to make many of Microsoft's anti-competitive practices impossible to continue, while not destroying a firm which has done much to revolutionize the way people all over the world live.

Certainly, Microsoft's agreement to an independent monitor is quite a concession for a corporation in the high-tech areas. The agreement also calls for Microsoft to guarantee "equity" in a number of areas with third parties which will mean less profit for the company in the future. I understand that Microsoft is willing to agree to these provisions just to get this case over with .

Since this proposed settlement has the support of the Department of Justice, and of nine states, I hope that Judge Kollar-Kotelly will be willing to approve.

Very truly yours,



Thomas M. Roth III